

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TIFFANY RECINOS,

Plaintiff,

v.

EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,

Defendant.

CASE NO. 2:23-cv-791 MJP

ORDER DENYING MOTION FOR  
DEFAULT JUDGMENT

This matter comes before the Court on Plaintiff's Motion for Default Judgment. (Dkt. No. 37.) Having reviewed the Motion and all supporting materials, the Court DENIES the Motion.

Plaintiff asks the Court to enter default judgment against Defendant. (Dkt. No. 37.) There are two primary problems with this request. First, the Court has dismissed Plaintiff's complaint for lack of subject matter jurisdiction and granted leave to amend. (See Order of Dismissal (Dkt. No. 40).) At this point, the Court does not have jurisdiction over any claims Plaintiff has asserted. Without subject matter jurisdiction, the Court cannot properly enter default judgment. Second, because Plaintiff has not filed any claims over which the Court has jurisdiction, no

1 summonses have issued, and Defendant has not been served. Without proof of valid service and  
2 entry of default, the Court cannot enter default judgment. See Fed. R. Civ. P. 55. So even if  
3 Plaintiff had filed a complaint with claims over which the Court has jurisdiction, the Court could  
4 not enter default judgment as requested. The Court DENIES the Motion.

5 The clerk is ordered to provide copies of this order to Plaintiff and all counsel.

6 Dated July 26, 2023.

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9 United States Senior District Judge  
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